

DOWNTOWN PERTH HERITAGE CONSERVATION DISTRICT



A Stewardship Guide
to the
Downtown Perth
Heritage
Conservation



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Overview

Heritage Character Statement

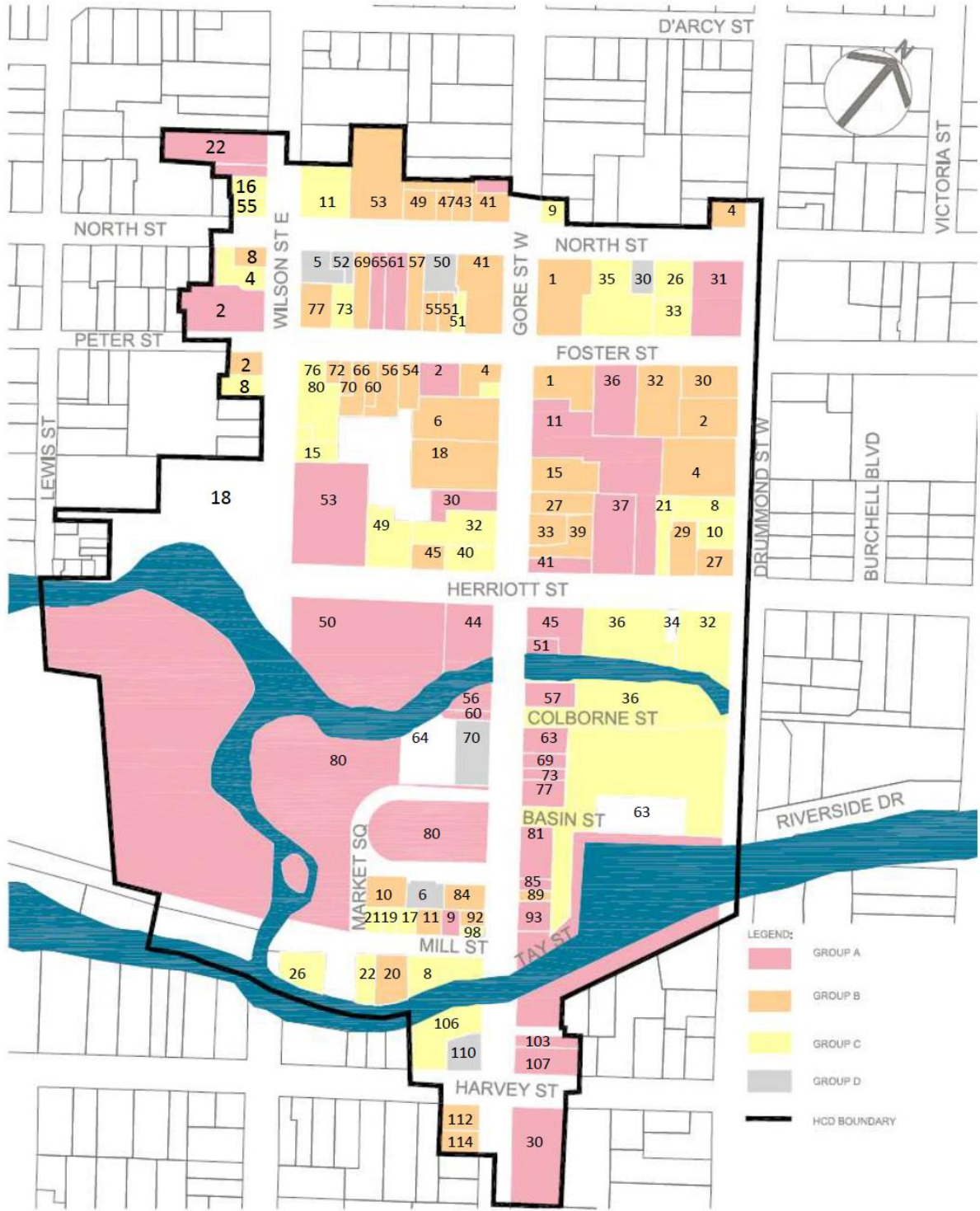
The Downtown Perth Heritage Conservation District encompasses the downtown core, which includes a vibrant commercial and civic centre that can be linked to several key periods in the development of the Town. This history of the Town's development is reflected in both the landscape and built form found within the downtown core. These elements create a narrative throughout the District, mirroring the settlement, growth, and prosperity of the Town. The Town's establishment as a military settlement is manifested in the regimented alignment of the street grid. Examples of the Town's earliest stone buildings remain and stand testament to Perth's initial settlement. After the military settlement was disbanded, the century which followed witnessed steady development in Perth and its population grew steadily. The buildings found throughout the District trace its history, and offer fine architectural examples of some of the Town's earliest civic institutions and commercial endeavours. Interspersed within the commercial fabric of the downtown core are a number of built elements, as well as landscapes that are related to some of Perth's early prominent citizens, and key events within history. (see Heritage Conservation District Plan for more details)

Focused on the preservation of a defined area, Heritage Conservation Districts enable the preservation of key functional and visual attributes that convey or have a connection to the collective history of the area in which they are located. A Heritage Conservation District can include heritage buildings, sites, structures, designed and natural landscapes, all linked through aesthetic, historical and socio-cultural contexts. When an area is designated as a Heritage Conservation District, the character defining, or essential elements are protected. It does not mean that an area is 'frozen' in time or intended to be restored to a specific historical period or style.

The streetscape is the focus of a Heritage Conservation District. As a result, policies and guidelines are put in place to provide direction regarding the types of alterations, additions or new construction that will be considered appropriate. Heritage Permits are generally required for street-facing or public domain alterations and additions, as well as new construction. Where it has been determined that contribution to the public domain is not being made, minor alterations or additions and renovations to the side or rear of buildings, do not require heritage permits. Guidelines are provided to assist with maintenance and repair of certain built form or landscape elements. A Heritage Conservation District does not refer to or affect the interior of a building only the façade.

The cultural landscape which encompasses both the private and public realm is an important aspect of a Heritage Conservation District. As such, guidelines and policies are often established for street patterns, mature street trees, lighting, boulevards, signage and other such infrastructure. This is to ensure that municipal infrastructure improvements or changes do not have a negative impact on the heritage characteristics of the district.

Map of Downtown Perth Heritage Conservation District



Note: Each property is ranked by architectural heritage value within the HCD. The rankings are designed to assist in determining the type of approval that may be required. Group A represents those properties assigned with the highest ranking. Group D represents those properties assessed to have the lowest architectural heritage value within the HCD.



Date Received:

Heritage Conservation District Permit Application

This form is to be completed by property owners proposing alterations to municipally designated heritage properties approved under Part IV, or properties located within the Downtown Perth Heritage Conservation District under Part V of the *Ontario Heritage Act*. **There is NO FEE for a Heritage Permit.**

Applicants are reminded to confirm their plans with the Town of Perth Chief Building Official to determine whether a Building Permit is required. A Heritage Permit does not supersede the requirements of ***The Ontario Building Code, The Municipal Act or The Planning Act.***

Attachments to this application should include any drawing, photograph or specification that will provide the necessary visual or technical information by which the proposed project can be properly evaluated.

PROPERTY INFORMATION			
Municipal Address:	Street No:	Street Name:	Unit Num:
Commercial Name (if applicable)			
OWNER INFORMATION			
Registered Land Owner:	Surname:	First Name:	
Name:	(if Company)	Company Officer:	
Address:	Street No:	Street Name:	Unit Num:
Municipality:	Province:	Postal Code:	
Telephone: No. ()	Email:		
I hereby make the above application for a Heritage Permit Application, declaring all of the information contained herein is true and correct, and acknowledging the Town of Perth will process the application based on the information provided.			
Signature:		Title:	
Printed Name of Owner:		Date:	
FOR OFFICE USE ONLY			
<i>Authority Delegated</i>		<i>Signature and Date</i>	
<i>Director of Planning</i>			
<i>Chief Building Official (CBO)</i>			
<i>Director of Community Services</i>			
<i>MHAP Consulted</i>			
<i>Council Motion (where applicable)</i>			
<i>Application Number:</i>			

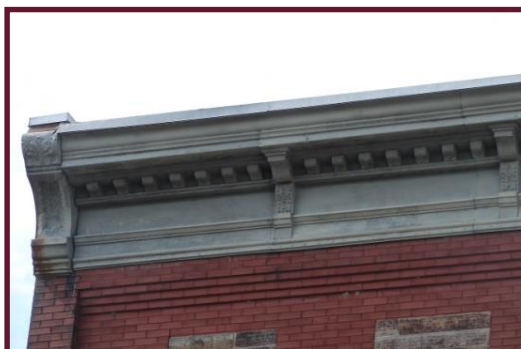
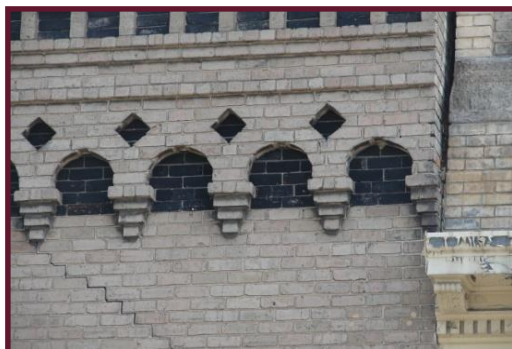
Official Plan

The Town of Perth Official Plan provides a framework for heritage conservation in Section 6 - Heritage. The key goal of this section is “to preserve Perth’s built, cultural and natural resources while ensuring its growth and economic prosperity and to establish the conservation of Perth’s heritage resources as a primary element in the planned management of change (Section 6.2).”



Heritage resources are categorized in the Official Plan under the following headings:

1. Areas of Archaeological Potential - areas with medium or high potential for the discovery of archaeological resources, to be confirmed through archaeological assessment;
2. Built Heritage Resources - means buildings, structures, monuments, installations or remains that are important to the community;
3. Cultural Heritage Landscapes - a defined geographical area of heritage significance that has been modified by human activity and significant in understanding the history of people or a place; and
4. Natural Heritage Features and Areas - natural heritage features and areas that are important for their environmental and social value.



Benefits of a Heritage Conservation District

Designation as a Heritage Conservation District provides the following benefits to property owners:

- The protection and management of heritage assets (architecture, landscape and history);
- Additional information and guidance to property owners who are undertaking restoration, renovation and redevelopment;
- Potential financial assistance (through grants, tax relief programs) for renovation and restoration;
- Source of new promotion and tourism initiatives (walking tours, interpretive features); and
- Increased community stability.

A Heritage Conservation District provides an opportunity to retain and enhance an area's most unique and attractive features for the overall benefit of property owners and the community as a whole.

Guideline Overview

Development Pattern

The majority of the Downtown Perth Heritage Conservation District is representative of its roots as the central meeting place of the Town, including the commercial, business, and retail and government core of the community. While selected properties have experienced redevelopment, the majority of the late 19th to early 20th century buildings remain. These predominantly mixed use buildings are typified by commercial/office uses at street-level with residential units in the upper floors. Building heights and scale are consistent with minimal setbacks, providing a defined street edge. Peripheral areas of the Downtown include a variety of low density residential building types, with some including secondary office uses. To maintain the general consistency of the land uses and development pattern in the District, the following policies are proposed:

- Maintain the mixed-use character and amenities of the Downtown by ensuring a variety of businesses including retail, office, residential, entertainment, cultural and leisure are accommodated to provide for continued vitality and diversity in the core.
- Where new uses or intensification are proposed, adaptive reuse of the existing heritage building stock should be encouraged.

- Where original buildings are lost due to unfortunate circumstances such as severe structural instability, fire or other reasons, the massing, setback, materials and use of replacement buildings should match footprint, height and roof line of original building to the degree permitted by the Building Code and applicable accessibility standards and be consistent with the policies of the Heritage Conservation District.
- The cultural heritage and archaeological resource policies of the Provincial Policy Statement (PPS) of the Planning Act are to be applied, notably Section 2.6.3 pertaining to adjacent lands. The PPS states that:
 - Development and site alteration may be permitted on adjacent lands to protected heritage property where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved.
 - Mitigating measures and/or alternative development approaches may be required in order to conserve the heritage attributes of the protected heritage property affected by the adjacent development or site alteration.
- Parking for new or replacement buildings are to be located in driveways at the side or rear of the building or within public parking lots where space permits. When deemed appropriate or desirable by Council, off-site parking may be provided through a long term lease.

Recommended Practices and Design Guidelines

- Research the original style and appearance of the building to determine “authentic limits” of restoration or alteration so that the appropriate style is maintained.
- In the absence of historical data, use forensic evidence available from the building itself to suggest appropriate restoration or alteration.
- Seek similar properties (same age, same design, same builder) for evidence of details that may still exist as samples for reconstruction.
- Avoid “new” materials and methods of construction if the original is still available.
- Retain and restore heritage attributes wherever possible rather than replacing them, particularly for features such as windows, doors, porches and decorative trim.
- Where replacement of features (e.g. – doors, windows, trim) is unavoidable, the replacement components should be of the same style, size, proportions and material whenever possible.

- Incorporate similar building forms, materials, scale and design elements in the alteration that exist on the original building.
- Avoid concealing or irreversibly altering original heritage attributes of buildings, such as entrances, windows, doors and decorative details when undertaking alterations.
- If in doubt, use discretion and avoid irreversible changes to the basic structure and architectural style.
- Keep accurate photos and other records, and samples of original elements that have been replaced.

Additions and Alterations to Existing Buildings

It is inevitable that buildings will be altered and additions will be made; as it is unreasonable to expect that they can remain static in the face of contemporary business and life expectations and the evolution of a community. However, it is important that additions and alterations do not detract from the overall heritage character of the neighbourhood and that they do not result in the loss of key heritage attributes.

- Minor exterior alterations and additions to commercial buildings shall be permitted provided such alterations are not on the side of a building facing a public street.
- Minor exterior alterations and additions to single detached dwellings shall be permitted provided such alterations are not within any front or side yard.
- Conversion of use will be permitted, if permitted by zoning, and if the conversion does not significantly alter the street appearance of the building.
- Structural alterations to the exterior of buildings are not permitted in the event of residential conversions. Any exterior stairs or fire escapes are to be enclosed and kept away from the street façade of the structure.
- Major alterations to the exterior façade of buildings facing a public street are not permitted. Such alterations will only be considered where the intent is to restore or achieve the heritage objectives of either the Downtown Perth Heritage Conservation District Plan or the Town of Perth Official Plan.
- Additions shall be subordinate to the original structure to allow the original heritage features and built form to take visual precedence on the street.

- Evaluation of additions and alterations to properties adjacent to the Downtown Perth Heritage Conservation District will be required in order to demonstrate that the heritage attributes of the District will be conserved (per Sec. 2.6.3 of the Provincial Policy Statement – 2005).
- Where conversion or change of land use is permitted in the zoning by-law, modest building modifications, and façade changes, such as removal/replacement of signage, modification of entrances to comply with accessibility requirements or fire safety improvements generally will be permitted where heritage elements are preserved.

Recommended Practices and Design Guidelines

Additions that are necessary should be sympathetic and complementary in design and clearly distinguishable from the original construction by form or detail. The use of traditional materials finishes and colours rather than exact duplication of form can provide appropriate transition between additions and original structures.

- Additions should be located away from principal façade(s) of heritage properties, preferably at the rear of the building, to reduce the visual impact on the street(s).
- Form and details of the addition should be complementary to the original construction, with respect to style, scale, and materials but still distinguishable to reflect the historical construction periods of the building.
- The height of any addition should be similar to the existing building and/or adjacent buildings to ensure that the addition does not dominate the original building, neighbouring buildings or the streetscape.
- Additions should not obscure or remove important architectural features of the existing building.
- Additions should not negatively impact the symmetry and proportions of the building or create a visually unbalanced façade.
- New doors and windows should be of similar style, orientation and proportion as on the existing building. The use of appropriate reclaimed materials should be considered.
- New construction should avoid irreversible changes to original construction.



New Buildings

Within the Downtown Perth Heritage Conservation District, there are very few sites where new buildings could be constructed without the demolition of existing structures. However, there may be selected locations where infill development or limited integrated redevelopment is possible in the future or where redevelopment is required due to loss of buildings through fire, severe structural decay, etc. In such situations, the following policies are to apply for all areas of the Downtown Perth Heritage Conservation District as well as those properties immediately adjacent to the District.

- New buildings will respect and be compatible with the heritage character of the Downtown, through attention to height, built form, setback, massing, material and other architectural elements such as doors, windows, roof lines and established cornice lines.
- Design guidelines provided in Section 6.5 of the Heritage Conservation District Plan will be used to review and evaluate proposals for new buildings to ensure that new development is compatible with the adjacent context.
- Where a new building replaces a demolished heritage building, the new building will respect or recapture the mass and building presence in the streetscape of the original building and should avoid having a contemporary purpose-built appearance determined only by the new use.
- Evaluation of new buildings adjacent to the Downtown Perth Heritage Conservation District will be required in order to demonstrate that the heritage attributes of the District will be conserved (per Section 2.6.3 of the Provincial Policy Statement – 2005).

Recommended Practices and Design Guidelines

- Match setback, footprint, size and massing patterns of the area, particularly to the immediately adjacent neighbors. Match façade pattern of street or of “street wall”

for solids and voids, particularly ensure the continuity of the street wall where one exists.

- Setbacks of new development should be consistent with adjacent buildings. Where setbacks are not generally uniform, the new building should be aligned with the building that is most similar to the predominant setback on the street.
- New buildings and entrances must be oriented to the street and are encouraged to have architectural interest to contribute to the visual appeal of the district.
- Respond to unique conditions or location, such as corner properties, by providing architectural interest and details on both street facing façades.
- Use roof shapes and major design elements that are complementary to surrounding buildings and heritage patterns.
- Respond to continuous horizontal patterns along the street such as roof lines, cornice lines, and the alignment of sills and heads of windows and doors.
- Size, shape, proportion, number and placement of windows and doors should reflect common building patterns and styles of other buildings in the immediate area.
- Use materials and colours that represent the texture and palette of the Downtown area. (Benjamin Moore Historical Collection is the preferred color palette.
- Where appropriate, incorporate in a contemporary way some of the traditional details that are standard elements in the principal façades of properties in the Downtown. Such details as transoms and sidelights at doors and windows, covered entrances, divided light windows and decorative details to articulate plain and flat surfaces, add character that complements the original appearance of the neighbourhood and add value to the individual property.
- New buildings should not be any lower than the lowest heritage building on the block or taller than the highest heritage building on the same block.

Commercial Buildings

The Downtown Perth Heritage Conservation District includes a significant number of commercial buildings. Most are purpose built for commercial use; some are converted from residential buildings. The majority of the commercial buildings are located along the primary arterial roads of Gore Street, Wilson Street, Foster Street and Herriott Street. There are also a number of professional offices and other commercial uses at the edges

of the District, where large houses have been converted to commercial and institutional use near the business and cultural centre of Perth.

Recommended Practices and Design Guidelines

- Where buildings are being converted to office or commercial uses, retain original features (doors, windows, porches) and details of the building to reflect its residential history.
- If alterations are required to provide barrier free access, ramps and railings should be of suitable materials, colour and design details to blend in with the original structure as much as possible.
- If significant alterations or additions are required to provide suitable access to the front of the building, it is preferred that these elements be designed as transparent or unobtrusive additions concealing a minimum amount of the original façade and identifiable as a separate construction. New work should be recognized as new, but complementary in appearance to the original.
- Avoid the use of backlit; fluorescent signs as these are not consistent with the age, style and character of the Downtown Perth Heritage Conservation District. Preferred sign options include painted, stained or carved wood or materials with similar appearance with lettering styles that reflect the traditional, historic character of the community. The preferred type of sign illumination is shielded, incandescent lighting at the top or side of signs. Comply with the Town's Sign and Merchandise Display By-law.
- The size and scale of signs should correspond to the building. Signs which obscure architectural details are discouraged. Freestanding signs as landscape elements in front of the building should avoid potential conflict with building style and details.
- Any additional parking requirements that may be necessary to meet business needs or zoning regulations should be located at the rear of the building and be appropriately screened by landscaping and/or fencing from the street and adjacent neighbours.
- Prior to any major renovation to a heritage building for the purpose of conversion to a new use, it is recommended to undertake an audit of the unique exterior (and interior) features that provide potential market "branding" and capitalize on those inherited features, rather than dismissing them for their age.

Building Conversions

A number of existing buildings in the Downtown have been converted from single family to multiunit dwellings or office uses by dividing the interior of the building into individual suites or apartments. The conversion of buildings may make economic sense thereby helping to retain some buildings that would not otherwise be salvageable. However, the alterations that are undertaken as part of the conversion process to provide additional entrances and emergency exits can affect the exterior of the building.

Recommended Practices and Design Guidelines

- Avoid altering the streetscape façade of the building. Provide access to individual suites and offices from the interior of the building. If this is not feasible, new entrances should be located to the side or rear of the building.
- If exterior stairs are required for access or emergency exit purposes, they should be situated at the rear or side of the building away from view, using materials and construction methods that are compatible with the original building design.
- Do not obstruct or remove original door and window locations.
- Locate additional utility meters in an inconspicuous, but accessible, location at the rear or side of the building, where feasible.
- Front yard or boulevard parking is discouraged unless unavoidable and permitted by zoning regulations.
- If additional parking must be provided, it should be located at the rear or side of the building with appropriate landscaping or fencing provided to screen it from the street and adjacent neighbours.

Recommended Heritage Alteration Permit Requirements

TYPE OF WORK	Heritage Alteration Permit Required			
	Building Ranking			
Major Projects	A	B,C	D	Guidelines
New Buildings	Yes	Yes	Yes	Yes
Additions	Yes	Yes	Yes	Yes
	Yes	Yes	Yes	Yes
Conversions with exterior alterations visible from street or other public space	Yes	Yes	Yes	Yes
Demolition of building or portion of building visible from street or other public space	Yes	Yes	Yes	Yes
Alterations to Heritage Attributes Visible from Street or Public	A	B,C	D	Guidelines
Window or door removal or replacement	Yes	Yes	No	Yes
Addition of a window or door in a new or altered opening	Yes	Yes	No	Yes
Shutter removal (if original)	Yes	Yes	No	Yes
Decorative trim and bracket removal or replacement	Yes	Yes	No	Yes
Porch/verandah replacement, removal or addition	Yes	Yes	No	Yes
Removal of chimneys, if significant visual feature	Yes	Yes	No	Yes
Painting of previously unpainted brick or stone	Yes	Yes	No	Yes
Re-roofing with different materials	Yes	Yes	No	Yes
Window removal where window is a significant feature from street or other public space	Yes	Yes	No	Yes
Removal of brick or stone piers, if original	Yes	Yes	Yes	Yes
Wall mounted signage	Yes	Yes	No	Yes
Work NOT Requiring a Permit	A	B,C	D	Guidelines
Window and door repair or restoration to authentic condition	No	No	No	Yes
Replace / installation / removal of storm doors, storm windows				No
Soffit and Fascia replacement	No	No	No	Yes
Re-roofing with same materials	No	No	No	No
Eavestrough installation or replacement	No	No	No	Yes
Removal of chimneys if not major visual feature	No	No	No	No
Painting of wood trim, previously painted brick/masonry	No	No	No	Yes
Other maintenance and repair that does not affect façade visible from street or other public space	No	No	No	Yes
Minor landscaping and gardening plans in any part of the yard (unless designated under Part IV)	No	No	No	Yes
Interior Renovations	No	No	No	No

Note: Shaded cells indicate work requiring Council Approval

Each property is ranked by architectural heritage value within the HCD. The rankings are designed to assist in determining the type of approval that may be required. Group A represents those properties assigned with the highest ranking. Group D represents those properties assessed to have the lowest architectural heritage value within the HCD.

Goal of a Heritage Conservation District

The goal of a heritage conservation district is to preserve and protect the built heritage resources and cultural heritage landscape within the short term and over the long term. However, it is recognized that there are situations where demolition may be necessary such as partial destruction due to fire or other catastrophic events, severe structural instability, and occasionally redevelopment that is in keeping with appropriate Town policies.

- Heritage buildings of A, B, or C ranking in the District should not be demolished. Where a building has been severely damaged by fire or other calamity, or if a building is determined to be non-contributing to the heritage character of the District (a Group D building), the existing building may be considered for demolition and replacement in accordance with the policies and guidelines for new buildings.
- The Town of Perth will vigorously enforce property maintenance standards for heritage properties to ensure that heritage assets are not diminished from neglect and not put at risk of demolition from neglect.
- Any proposal to demolish a heritage building or portion of a heritage building that is visible from the street or other public space within the District shall require a heritage permit from the municipality.
- Where demolition of a heritage building is proposed, the property owner shall provide supporting documentation demonstrating appropriate reasons for the demolition. Council shall have the prerogative of refusing such applications unless it is clearly justified on the basis of building condition, heritage ranking and attributes, and impact on adjacent heritage properties and the streetscape or other such criteria as may be required by the Town of Perth.
- In situations where demolition is approved by Council, written and / or photographic documentation of any notable architectural features and construction techniques will be required to create a record of the building and its key features.
- Reclamation of suitable building materials such as windows, doors, moldings, columns, bricks, etc. for potential reuse in a new building on the site or as replacement components for other buildings in the Town which require repair and restoration over time is strongly encouraged if demolition is approved for any heritage buildings in the District.

Area Specific Policies

The properties on the East side of North Street between Wilson & Gore are encouraged to develop the vacant rear of properties facing Foster Street to provide either a built façade facing North Street or to provide public amenity uses for the under-utilized land.

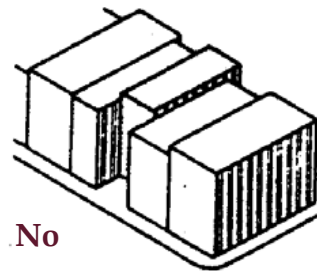
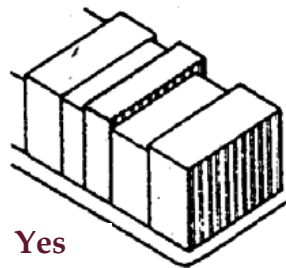
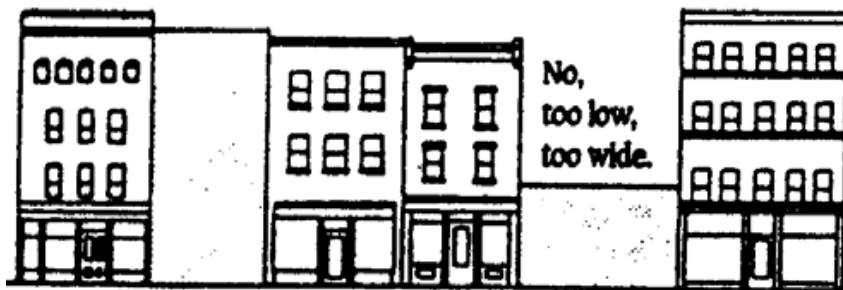
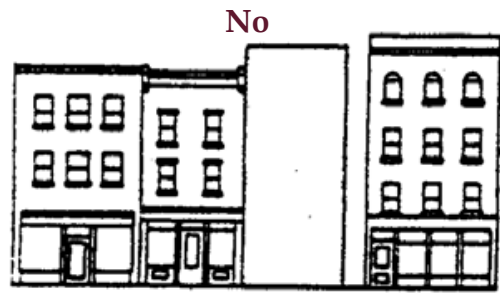
- The interiors of two blocks bounded by Wilson, Drummond, Foster and Herriott Streets are encouraged to promote pedestrian access through the blocks and to provide development opportunities and public amenities in those interior spaces. The main façades of buildings facing public streets should be compatible with, and complementary to, the adjacent buildings along the street, and contribute to the consistency of the street wall. Any proposed development on the interior of these blocks may exercise additional license in the selection of materials and the massing of the new construction consistent with Zoning By-law regulations. Existing pedestrian entrances and passageways should be respected and pedestrian thoroughfares connected and extended where possible.
- Properties at 18 Wilson Street East and 50 Herriott Street, which are perceived as visual extensions to Code/Haggart and Stewart Parks must protect and maintain the existing visual relationships as well as the size and massing of vegetation and built features that contribute to the overall sense of scale and heritage character of the District.
- Properties at 81 to 93 Gore Street East where the rear of the properties face the Tay Canal Turning Basin are encouraged to develop the rear of properties to provide public amenity uses for the under-utilized land.

Private Realm

The landscape pattern of Downtown Perth is a strong one, and is reinforced by the grid pattern impressed on the landscape, and threaded together by the natural and open spaces that are woven throughout. This aggregate of all elements, both natural and cultural, is what contributes to the cohesive sense of time and place in Perth.

Opportunities to further define and enhance the heritage attributes of the District are presented through spatial patterns, setbacks, vegetation, and view sheds. The *Ontario Heritage Act* allows for the protection of ‘property features’ and associated limitations on alterations to such property features. While it is not the intent of this Plan to restrict private property owners in their landscaping activities, nor to require any permits for landscaping, the following policies are established to provide direction regarding certain elements of the landscape.

- Maintain the positioning of both natural and built elements on properties within the District, as well as the visual and physical connections and existing topography.



Public Realm

The public realm includes streets and lanes, boulevards, sidewalks, lighting, street signs, street furnishings, parks and open space. Changes to these elements can play a significant role in the overall quality of the streetscape and resulting heritage character of a district as a cultural landscape. The *Ontario Heritage Act* states that if a heritage conservation district plan is in effect, the Council of the municipality “shall not carry out any public work in the district that is contrary to the objectives set out in the plan”. The following policies apply to the public realm, as well as work proposed to public infrastructure.

- Lot patterning and street grid shall be maintained to retain the functional relationships, spatial organization and building settings of the district.
- Maintain the visual relationships and viewsheds within the cultural landscape, respecting landmarks, horizon, and viewpoint and view composition.
- Mature street trees should be protected and preserved unless they present a public safety hazard or are in a serious state of decline due to age or disease. When removal of street trees is required, they should be replaced with new trees of an appropriate size and species.
- The Town is encouraged to implement a street tree planting program to fill in gaps that exist in the neighbourhood in order to enhance canopy coverage.
- Retention of spatial relationships and vegetation patterns throughout the District is required whenever repairs or improvements are made to roads, sidewalks or underground services. Should removal of trees and boulevards be unavoidable as part of the infrastructure works, they will be replaced upon completion of the work.

Part IV and Part V Designations

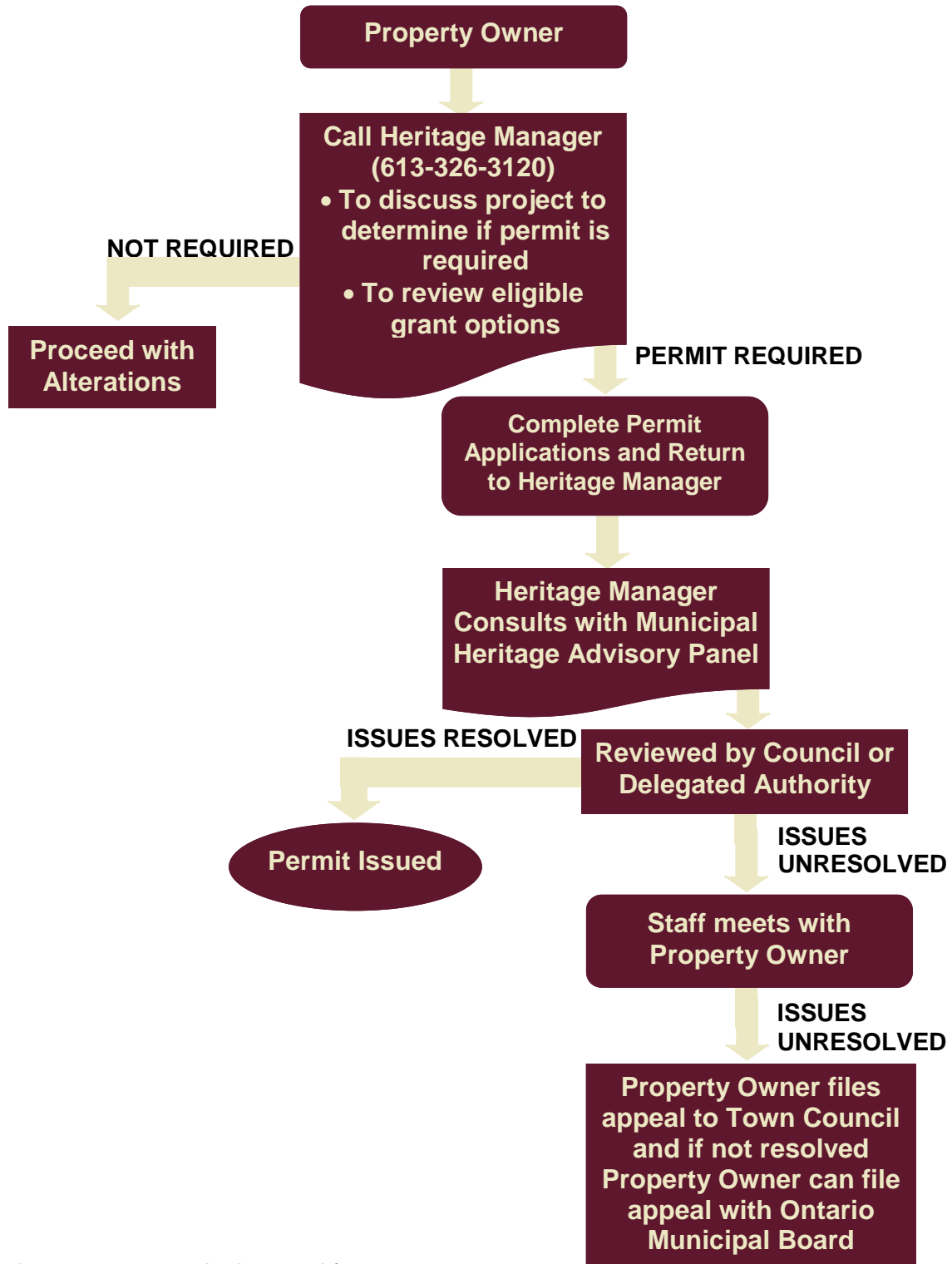


A number of Designated Properties in the Downtown are currently designated under Part IV of the *Ontario Heritage Act*. When such properties are included in a heritage conservation district, the requirements of Part V of the Act also apply to the Part IV property. As a result, the specific heritage attributes that are identified and protected under Part IV continue to be protected in the Downtown Perth Heritage District Conservation Plan. The Town and individual property owners may continue to designate properties in the Downtown Perth Heritage District under Part IV of the *Ontario Heritage Act* to provide additional protection to features of the property that are not specifically protected by Part V designation, such as interiors or features obscured from the street. The following policies are established for properties previously designated under Part IV.

- The policies and guidelines of the Downtown Perth Heritage Conservation District Plan are to apply to all properties previously designated under Part IV of the *Ontario Heritage Act*.
- In addition to the policies and guidelines of this Plan, all interior and exterior features previously designated under Part IV of the *Ontario Heritage Act*, will continue to be protected in the same manner as prior to their designation under Part V.



Heritage Permit Approval Process for Property Owners in Heritage Conservation District



The Permit does not supersede the need for a Building Permit under the *Ontario Building Code*.

Application Review Process

Once a Heritage Conservation District is passed by Town Council, no person, including the Municipality, can perform any exterior construction, demolition, removal or alteration to the facade, except for work exempted in this Plan, without a heritage permit issued by Town staff that have appropriate delegated authority. The permit application process is a means for the Municipality to assess proposed changes and determine if they will beneficially or detrimentally affect the heritage attributes or character of district.

Roles and Responsibilities

Heritage Manager

The Town's Heritage Manager should be the first point of contact for anyone contemplating renovations, restoration or other building / property alteration and maintenance projects. The Manager has the knowledge, skills and resources to assist owners in making decisions on whether a proposed project requires a heritage permit and the type of approvals process.

In addition, the Director of Community Services and / or their delegate are responsible for preparing reports to the Municipal Heritage Advisory Panel and Committee of the Whole for review and decision-making. Therefore, their involvement from the beginning of any project increases the communication and understanding regarding the nature of the proposal.

Municipal Heritage Advisory Panel

The Municipal Heritage Advisory Panel may review applicable heritage permit applications. Formal input from this Advisory Panel may not be necessary for all situations, in an effort to streamline the process.

Panel members can also provide a wealth of knowledge and information to residents regarding appropriate heritage preservation practices, examples and processes.

Council

Members of Council (or designate) are responsible for adoption of policies and plans relating to heritage in general and for approving heritage alteration permits in designated heritage conservation districts. Council members should recognize the historical, architectural and cultural value of the Downtown Perth Heritage Conservation District's heritage attributes when making policy and land use decisions that affect the district, and also be guided by the principles, goals, objectives and guidelines of the heritage conservation district plan. At the same time, they should be aware that a heritage district designation is not intended to "freeze" the community in time, and that change can and will occur.

Council should be encouraged to allocate budgets to ensure that staff resources are sufficient to efficiently handle the heritage approvals process for the Downtown Perth Heritage Conservation District. Public infrastructure projects such as roadwork, tree planting programs, street sign and lighting replacement / refurbishment should also be appropriately funded to retain, or enhance where feasible, the heritage character of the District.

Heritage Alteration Approvals

As part of the Heritage Alteration Approvals process any exterior construction, demolition, removal or alteration to the facade, except for work exempted in this Plan cannot begin without a building permit. In accordance with the Ontario Building Code, the Town of Perth requires a building permit for any new building or structure that is larger than 10 m². Other works requiring a building permit include:

- The repair, reconstruction or retrofitting of a building or other construction which is part of the structural support of the building including roof structure;
- Material change to the exterior of the building including changes to roofs, roofing, windows, doors, or exterior attached constructions such as porches and stairs.
- Building extensions;
- Excavating or constructing a foundation;
- Installing heating, plumbing, air conditioning or a fire place (solid fuel appliance);
- Building or placing a temporary building; and
- The demolition of a building.

Accordingly, building permits are required for many interior renovation projects and additions as well as exterior and façade projects including porches, additions, structural alterations to doors and windows, etc.

The designation of Downtown Perth as a heritage conservation district does not result in any changes to the types of buildings or projects that require a building permit for either interior or exterior work. However, when a building permit is necessary for work that affects a façade that is visible from the street or other public areas in a heritage district, an additional level of review and approval is applied to ensure that the proposed construction or alteration is in keeping with the heritage character of the area.

In addition, heritage alteration permits are required for some projects which do not require building permits to ensure that the proposed changes are consistent with the policies and guidelines and respect and maintain the integrity of the Downtown Perth Heritage Conservation District.

Approvals for Private Property

In general, heritage alteration permits ARE REQUIRED for the following types of work:

- Additions to any façades visible from public areas (streets, laneways, slypes, open space, parks);
- New buildings constructed on vacant properties, as integrated redevelopment projects or to replace existing buildings for any reason;
- Major alterations to or replacement of features such as doors, windows, porches, decorative trim on the street-facing portion of a building, where the feature being altered or replaced will be of different style, materials or proportions than existing;
- Commercial signage affixed to buildings in accordance with the Town Signage By-law; and
- Features previously protected under Part IV of the *Ontario Heritage Act*.

In general, heritage alteration permits ARE NOT REQUIRED for the following types of work:

- Interior alterations;
- Additions or alterations to any portion of the building that is not visible from the street or other public spaces;
- Minor repairs and maintenance;
- Alterations or replacement of street facing features where the replacement items are of the same style, material, size and shape as the original;
- Painting of facad features made of wood, metal, or other non-masonry product; and,
- It should be noted that a heritage alteration permit is not necessary to undertake immediate or temporary repairs required as a result of emergency or catastrophe (e.g. – structural damage resulting from storms, fire, etc.). However, should such events result in the need for permanent alterations or reconstruction of building features on the street façade, an alteration permit would be required.

Approvals for Public Property and Infrastructure

The municipality is also obligated to be consistent with the policies and guidelines of the Heritage Conservation District in the undertaking of any public works or infrastructure improvements. This means that Council review and approval is required for such works and items as:

- Replacement of street lighting, street signs;
- Street furnishings, including benches, trash receptacles, bicycle racks, planters and similar items;
- Alterations, reconstruction or removal of grassed boulevards;

- Changes to sidewalks or roadway pavement widths; and
- Significant changes or improvements to Public Park and open space features that would alter or affect character defining features.

Appeal Process

Final authority for issuing permits is with Town Council (or designate), under the *Ontario Heritage Act*. Applications that are not able to be resolved in the delegated approval process can be forwarded to Council for final resolution.

According to the provisions of the *Ontario Heritage Act*, if a heritage permit application is denied by Town Council, or approved with terms and conditions the applicant does not support, the applicant can appeal the decision to the Ontario Municipal Board. The Board can approve, approve with conditions or dismiss the application.

Enforcement of the Heritage Conservation District Plan

The Town of Perth will enforce the requirements of the Heritage Conservation District Plan using the regulatory provisions of the *Ontario Heritage Act*, the *Planning Act*, the *Building Code* and the *Municipal Act*.

Frequently Asked Questions

What is a Heritage Conservation District?

A Heritage Conservation District or HCD is a defined geographical area within a municipality that is protected under a local bylaw to ensure conservation of its existing heritage character. The focus of this type of designation is on the prevailing character of an area, particularly its contextual attributes – such as the variety of buildings and how they interrelate, the physical attributes including trees, landscapes, building setbacks, roads, street furniture and lighting. A district designation allows a municipal council to cooperatively manage and guide future change in the district by adopting a district plan with policies and guidelines tailored to the areas conservation, protection and enhancement requirements.

Is my property designated if it is part of a Heritage Conservation District?

For a building to become designated, according to the *Ontario Heritage Act*, a municipal bylaw must be passed by your local council. Because Heritage Conservation Districts (HCDs) require similar bylaws to be passed by your municipality, registered HCDs are consequently designated. Therefore, if your property is part of a registered HCD, it is by default designated and protected by the *Ontario Heritage Act*.

Since 2005, properties in the new HCDs must have HCD bylaws registered on title at the local Land Registry Office.

What is meant by the character of a Heritage Conservation District?

Typically, Heritage Conservation Districts (HCDs) can be found in both rural and urban areas, and may include elements of residential, commercial, institutional and main streets. There is also a growing interest in the designation of industrial, mining, waterfront and other cultural heritage settings that have not yet been explored in full.

Overall, HCDs are distinct groupings whose character derives from the natural and cultural resources within its boundaries. Beyond its cultural and built heritage, HCDs are also characterized by landscapes, the diversity of the lifestyles and traditions of the people; the community forms an important element of the district. The designations of HCDs by municipal councils allow many of these municipalities to maintain a strong sense of place and sense of identity.

What is a Heritage Conservation District plan?

Since 2005, the *Ontario Heritage Act* has stipulated that all new Heritage Conservation Districts (HCDs) must be guided by district plans. A district plan is a comprehensive summary of the geographical boundaries of an HCD, its overall character, heritage attributes and its relationship with municipal land-use planning policies. A district plan may begin by defining why an HCD is significant. It also provides guidelines on how best to conserve and protect heritage attributes, and to guide future changes in the district – for example, a district plan will illustrate approaches to alteration and infill. Overall, the policies and guidelines contained in a district plan will help to protect and enhance the area's special character. A copy of your municipalities' HCD Plan is available at Perth Town Hall, 80 Gore Street East, Perth.

How big is a Heritage Conservation District?

Heritage Conservation Districts (HCDs) vary in size and character. In some instances, they are areas with a group or complex of properties and buildings, while some others are even larger areas, such as entire neighbourhoods within communities. An HCD can technically comprise an entire municipality.

How can Parks Canada's The Standards and Guidelines for the Conservation of Historic Places in Canada be used?

This resource includes practical advice toward achieving good conservation practices. It is also a useful resource for the assessment of proposed conservation interventions on historic places, which would help in examining the technical means for treating the site.

Moreover, the 2011 edition includes new information on cultural landscapes, as well as information on the significance of heritage districts. Many municipalities add official plan clauses recognizing these standards. Currently, this resource has been adopted by many federal, provincial, territorial and municipal bodies. View it at <http://www.historicplaces.ca/en/pages/standards-normes>

What are some incentives to encourage the designation of a Heritage Conservation District?

Municipal incentive programs vary. Depending on the municipality, there may be grants, loans and/or tax relief available that function as incentives to encourage property owners to designate their buildings and sites. As a means to support the conservation of the property, some municipalities will offer tax rebate programs for properties protected under the *Ontario Heritage Act*. Other incentives provided by the municipality may include matching grant programs that benefit property owners in such a way that they share the cost of repair and conservation with the municipality. You are encouraged to check with the local municipality to see what is available.

What are the requirements of a property owner within a Heritage Conservation District?

Heritage Conservation District (HCD) designation applies only to the exterior of buildings and the surrounding property. A property owner requires a heritage permit (approved by Council or designate) before they can undertake any major exterior alterations or demolitions, or any other works likely to have a substantial impact on the heritage attributes of the property. As such, it is up to the owner to notify council of the intended changes to be made. Council can take no longer than ninety (90) days to make its decision.

Moreover, as an owner of a property held within an HCD, one must have a regard for the existing built form and character of the neighborhood with respects to its form, materials, height and massing in design proposals. A property owner must also avoid removing original building details, mature trees and other character-defining elements of the property, while always adhering to the minimum maintenance bylaw or property standards that can be found in legislation.

Who do I contact to get more information?

If you have any questions, comments or concerns, please contact the Heritage Tourism Manager at 613-326-3120 or by email at toursim@perth.ca .

Where can I find Additional online resources?

A complete reference guide is included in the HCD plan.

Ontario Ministry of Tourism, Culture and Sport
<http://www.mtc.gov.on.ca/en/heritage/heritage.shtml>

Parks Canada
www.historicplaces.ca/nor-stan_e.aspx

Town of Perth
www.perth.ca

Ontario Heritage Trust
www://heritagefdn.on.ca

Heritage Canada Foundation
www.heritagecanada.org

Quick Reference of Glossary and Definitions:

NB. A full glossary of terms is included in HCD Plan

Major Alterations: A major alteration involves a change to the structure or massing of a building that is visible to the street or public open space, including roof shape and features, exterior walls and openings, and existing extensions to the building and porches.

Minor Alterations: A minor alteration involves a change that is visible to the street of decorative trim, roofing materials, window and door replacement with matching design, paint and other finishes, and similar details.

Maintenance: The continuous protective care of the fabric and setting of a place, and is to be distinguished from repair. Repair involves restoration or reconstruction

Restoration: Major rebuilding and repair processes to restore a building to its former condition.

Conservation: The on-going efforts to maintain a building in serviceable condition, respecting the original condition.

Double-hung window: A window which operates by means of two sashes that slide vertically past each other.

Casement: A window that opens via hinges on one side.

Appendix A - Heritage Property Restoration Grant

The Heritage Property Restoration Grant is available for building owners within the Heritage Conservation District. Please go to www.perth.ca/heritagegrant to find the details for eligibility and the application process.

For more information contact the Heritage Tourism Manager at 613-326-3120 or tourism@perth.ca.